

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

Shawn W Deffner
Debtor(s)

Bankruptcy Case No.: 19-22776-GLT
Issued Per 8/12/2021 Proceeding
Chapter: 13
Docket No.: 52 - 47
Concil. Conf.: August 12, 2021 at 09:00 AM

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated June 23, 2021 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☒ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$2,295.00 as of August, 2021. Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☐ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on Aug. 12, 2021 at 09:00 AM, in remotely by the Trustee via Zoom, how to participate: goto www.ch13pitt.com, meetings@chapter13trusteewdpa.com.*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under 11 U.S.C. §506, disputes over the amount and allowance of claims entitled to priority under 11 U.S.C. §507, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☒ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: Claim No. 18 of Swissvale Borough .
- ☒ H. Additional Terms: (1) Swissvale Borough Refuse Claim No. 19, Woodland Hills SD Claim No. 20, Swissvale Borough Claim No. 21 paid as specially classified unsecured.

(2) Attorney fees base on retainer at \$700.00.

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.



Gregory A. Taddonio, Judge
United States Bankruptcy Court

Dated: August 13, 2021

cc: All Parties in Interest to be served by Clerk in seven (7) days

In re:
Shawn W Deffner
Debtor

Case No. 19-22776-GLT
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2
Date Rcvd: Aug 13, 2021

User: dbas
Form ID: 149

Page 1 of 3
Total Noticed: 50

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
#	Addresses marked '#' were identified by the USPS National Change of Address system as requiring an update. While the notice was still deliverable, the notice recipient was advised to update its address with the court immediately.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Aug 15, 2021:

Recip ID	Recipient Name and Address
db	+ Shawn W Deffner, 2316 Columbia Ave., Pittsburgh, PA 15218-1912
cr	+ Peoples Natural Gas Company LLC, c/o S. James Wallace, P.C., 845 N. Lincoln Ave., Pittsburgh, PA 15233-1828
15086073	+ Aes/pheaa, Attn: Bankruptcy, Po Box 2461, Harrisburg, PA 17105-2461
15110617	+ American Express, P.O. Box 650448, Dallas, TX 75265-0448
15103356	American Express National Bank, c/o Becket and Lee LLP, PO Box 3001, Malvern PA 19355-0701
15086074	+ Amex, Correspondence/Bankruptcy, Po Box 981540, El Paso, TX 79998-1540
15086075	+ Bank Of America, 4909 Savarese Circle, Fl1-908-01-50, Tampa, FL 33634-2413
15086076	+ Barclays Bank Delaware, Attn: Correspondence, Po Box 8801, Wilmington, DE 19899-8801
15110622	+ Borough of Swissvale, c/o Litigation Dept., 546 Wendel Road, Irwin, PA 15642-7539
15147782	+ Borough of Swissvale, c/o Keystone Collections Group, 546 Wendel Road, Irwin, PA 15642-7539
15110628	+ Cross River Bank, 885 Teaneck Road, Teaneck, NJ 07666-4547
15190764	ECMC, P.O. Box 16408, St. Paul, MN 55116-0408
15086081	#+ Finance of America Mortgage, 300 Welsh Road, Building 5, Horsham, PA 19044-2250
15086082	+ First PREMIER Bank, Attn: Bankruptcy, Po Box 5524, Sioux Falls, SD 57117-5524
15323557	Freedom Mortgage Corporation, 10500 Kincaid Drive, Fishers, IN 46037-9764
15110632	+ James & Barbara Wally, Magisterial Judge James A. Motznik, 736 Brookline Blvd., Pittsburgh, PA 15226-2178
15086083	Key Bank, Attn: Bankruptcy Dept., Oh-01-51-06224910 Tiedeman Rd., Brooklyn, OH 44144
15086085	+ Mariner Finance, Attn: Bankruptcy Department, 8211 Town Center Dr., Baltimore, MD 21236-5904
15110638	+ Metro Family Practice, 1789 S Braddock Ave., Ste. 410, Pittsburgh, PA 15218-1881
15086087	+ Mr. Cooper, Attn: Bankruptcy, Po Box 619098, Dallas, TX 75261-9098
15086088	+ Nissan Motor Acceptanc, Po Box 660360, Dallas, TX 75266-0360
15088436	Nissan Motor Acceptance, POB 660366, Dallas, TX 75266-0366
15099505	+ PHEAA, PO Box 8147, Harrisburg, PA 17105-8147
15110642	Quest Diagnostics venture LLC, PO BOX 740717, Cincinnati, OH 45274-0717
15086090	+ RoundPoint Mortgage Servicing Corporatio, Attn: Bankruptcy, Po Box 19409, Charlotte, NC 28219-9409
15118789	+ RoundPoint Mortgage Servicing Corporation, 5016 Parkway Plaza Blvd., Building 6&8, Charlotte, NC 28217-1932
15086091	+ Shellpoint Mortgage Servicing, Attn: Bankruptcy, Po Box 10826, Greenville, SC 29603-0826
15086092	+ Statebridge Company LI, 5680 Greenwood Plaza Blvd, Greenwood Village, CO 80111-2414
15110646	+ Sto Rox Neighborhood Health Council, Hilltop Community Helathcare Center, 710 Thompson Ave., Mc Kees Rocks, PA 15136-3808
15086093	+ Tribute Card, Cardholder Services, Po Box 105555, Atlanta, GA 30348-5555
15124156	+ U.S. Bank Trust National Association et al, c/o NewRez LLC d/b/a Shellpoint Mortgage, P.O. Box 10826, Greenville, SC 29603-0826
15086094	+ Upstart, Attn: Bankruptcy, Po Box 1503, San Carlos, CA 94070-7503
15147814	+ Woodland Hills School District, c/o Keystone Collections Group, 546 Wendel Road, Irwin, PA 15642-7539

TOTAL: 33

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
15110619	+ Email/Text: legal@arsnational.com	Aug 13 2021 23:13:00	ARS National Services, Inc., PO Box 469046, Escondido, CA 92046-9046
15086077	+ Email/PDF: AIS.cocard.ebn@americaninfosource.com	Aug 13 2021 23:26:42	Capital One, Attn: Bankruptcy, Po Box 30285, Salt Lake City, UT 84130-0285
15103089	Email/PDF: AIS.cocard.ebn@americaninfosource.com	Aug 13 2021 23:26:38	Capital One Bank (USA), N.A., by American

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			InfoSource as agent, PO Box 71083, Charlotte, NC 28272-1083
15086078	+ Email/PDF: Citi.BNC.Correspondence@citi.com	Aug 13 2021 23:26:43	Citibank, Attn: Recovery/Centralized Bankruptcy, Po Box 790034, St Louis, MO 63179-0034
15125381	Email/PDF: Citi.BNC.Correspondence@citi.com	Aug 13 2021 23:26:40	Citibank, N.A., 5800 S Corporate Pl, Sioux Falls, SD 57108-5027
15086079	+ Email/PDF: Citi.BNC.Correspondence@citi.com	Aug 13 2021 23:26:40	Citibank/Best Buy, Attn: Bankruptcy, Po Box 790441, St. Louis, MO 63179-0441
15110626	+ Email/Text: bankruptcy_notifications@ccsusa.com	Aug 13 2021 23:13:00	Credit Collection Services, 725 Canton Street, Norwood, MA 02062-2679
15086080	+ Email/PDF: creditonebknofications@resurgent.com	Aug 13 2021 23:26:46	Credit One Bank, Attn: Bankruptcy Department, Po Box 98873, Las Vegas, NV 89193-8873
15122857	+ Email/Text: kborkley@bernsteinlaw.com	Aug 13 2021 23:13:00	Duquesne Light Company, c/o Bernstein-Borkley, P.C., 707 Grant St., Suite 2200, Gulf Tower, Pittsburgh, PA 15219-1945
15190764	Email/Text: ECMCBKNotices@ecmc.org	Aug 13 2021 23:13:00	ECMC, P.O. Box 16408, St. Paul, MN 55116-0408
15110629	Email/Text: sbse.cio.bnc.mail@irs.gov	Aug 13 2021 23:13:00	Department of the Treasury, Internal Revenue Service, 310 Lowell St, Stop 360, Andover, MA 01810-9041
15092987	+ Email/Text: key_bankruptcy_ebnc@keybank.com	Aug 13 2021 23:13:00	KeyBank, N.A., 4910 Tiedeman Rd., Brooklyn, OH 44144-2338
15089209	Email/PDF: resurgentbknofications@resurgent.com	Aug 13 2021 23:26:42	LVNV Funding, LLC, Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
15110634	+ Email/Text: Documentfiling@lciinc.com	Aug 13 2021 23:13:00	Lending Club, 595 Market Street #200, San Francisco, CA 94105-2807
15086084	+ Email/Text: bk@lendingclub.com	Aug 13 2021 23:13:00	LendingClub, Attn: Bankruptcy, 71 Stevenson St, Ste 1000, San Francisco, CA 94105-2967
15086086	+ Email/PDF: MerrickBKNotifications@Resurgent.com	Aug 13 2021 23:26:42	Merrick Bank/CardWorks, Attn: Bankruptcy, Po Box 9201, Old Bethpage, NY 11804-9001
15118777	Email/PDF: EBN_AIS@AMERICANINFOSOURCE.COM	Aug 13 2021 23:26:43	Verizon, by American InfoSource as agent, PO Box 4457, Houston, TX 77210-4457
15110649	+ Email/Text: wfmelectronicbankruptcynotifications@verizonwireless.com	Aug 13 2021 23:13:00	Verizon, Verizon Wireless Bankruptcy Administrati, 500 Tecnolgy Dr Ste 500, Weldon Springs, MO 63304-2225

TOTAL: 18

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
cr		ROUNDPOINT MORTGAGE SERVICING CORPORATION
15086089		Plains Commerce Bank
15110641		Plains Commerce Bank
cr	*+	Duquesne Light Company, c/o Bernstein-Borkley, P.C., 707 Grant Street, Suite 2200, Gulf Tower, Pittsburgh, PA 15219-1945
cr	*	ECMC, P.O. Box 16408, St. Paul, MN 55116-0408
cr	*+	Freedom Mortgage Corporation, 10500 Kincaid Drive, Fishers, IN 46037-9764
15110616	*+	Aes/pheaa, Attn: Bankruptcy, Po Box 2461, Harrisburg, PA 17105-2461
15110618	*+	Amex, Correspondence/Bankruptcy, Po Box 981540, El Paso, TX 79998-1540
15110620	*+	Bank Of America, 4909 Savarese Circle, Fl1-908-01-50, Tampa, FL 33634-2413
15110621	*+	Barclays Bank Delaware, Attn: Correspondence, Po Box 8801, Wilmington, DE 19899-8801
15110623	*+	Capital One, Attn: Bankruptcy, Po Box 30285, Salt Lake City, UT 84130-0285
15110624	*+	Citibank, Attn: Recovery/Centralized Bankruptcy, Po Box 790034, St Louis, MO 63179-0034
15110625	*+	Citibank/Best Buy, Attn: Bankruptcy, Po Box 790441, St. Louis, MO 63179-0441

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15110627	*+	Credit One Bank, Attn: Bankruptcy Department, Po Box 98873, Las Vegas, NV 89193-8873
15110630	*+	Finance of America Mortgage, 300 Welsh Road, Building 5, Horsham, PA 19044-2250
15110631	*+	First PREMIER Bank, Attn: Bankruptcy, Po Box 5524, Sioux Falls, SD 57117-5524
15110633	*	Key Bank, Attn: Bankruptcy Dept., Oh-01-51-06224910 Tiedeman Rd., Brooklyn, OH 44144
15110635	*+	LendingClub, Attn: Bankruptcy, 71 Stevenson St, Ste 1000, San Francisco, CA 94105-2967
15110636	*+	Mariner Finance, Attn: Bankruptcy Department, 8211 Town Center Dr., Baltimore, MD 21236-5904
15110637	*+	Merrick Bank/CardWorks, Attn: Bankruptcy, Po Box 9201, Old Bethpage, NY 11804-9001
15110639	*+	Mr. Cooper, Attn: Bankruptcy, Po Box 619098, Dallas, TX 75261-9098
15110640	*+	Nissan Motor Acceptanc, Po Box 660360, Dallas, TX 75266-0360
15110643	*+	RoundPoint Mortgage Servicing Corporatio, Attn: Bankruptcy, Po Box 19409, Charlotte, NC 28219-9409
15110644	*+	Shellpoint Mortgage Servicing, Attn: Bankruptcy, Po Box 10826, Greenville, SC 29603-0826
15110645	*+	Statebridge Company LI, 5680 Greenwood Plaza Blvd, Greenwood Village, CO 80111-2414
15110647	*+	Tribute Card, Cardholder Services, Po Box 105555, Atlanta, GA 30348-5555
15110648	*+	Upstart, Attn: Bankruptcy, Po Box 1503, San Carlos, CA 94070-7503

TOTAL: 3 Undeliverable, 24 Duplicate, 0 Out of date forwarding address

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Aug 15, 2021

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on August 13, 2021 at the address(es) listed below:

Name	Email Address
Albert G. Reese, Jr.	on behalf of Debtor Shawn W Deffner areese8897@aol.com agreesee8897@gmail.com;r41196@notify.bestcase.com;agrlaw8897@gmail.com
Brian Nicholas	on behalf of Creditor ROUNDPOINT MORTGAGE SERVICING CORPORATION bnicholas@kmlawgroup.com
Keri P. Ebeck	on behalf of Creditor Duquesne Light Company kebeck@bernsteinlaw.com jbluemle@bernsteinlaw.com
Mario J. Hanyon	on behalf of Creditor Freedom Mortgage Corporation wbecf@brockandscott.com mario.hanyon@brockandscott.com
Office of the United States Trustee	ustpregion03.pi.ecf@usdoj.gov
Ronda J. Winnecour	cmecf@chapter13trusteedpa.com
S. James Wallace	on behalf of Creditor Peoples Natural Gas Company LLC ecfpeoples@grblaw.com PNGbankruptcy@peoples-gas.com

TOTAL: 7